

5/26/07

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*Attorneys for Defendant and Third Party/Counterclaim Plaintiff
Infinity Broadcasting Corporation of Washington, D.C. n/k/a
CBS Radio Inc. of Washington, D.C.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SAMUEL L. JONES JR., :

Plaintiff, : No. 07 Civ. 5693 (BSJ) (AJP)

-against- :

INFINITY BROADCASTING CORPORATION OF : ~~PROPOSED~~ ORDER TO
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF : SHOW CAUSE FOR
WASHINGTON, D.C., : PRELIMINARY
Defendant. : INJUNCTION AND
: TEMPORARY
: RESTRAINING ORDER

-----X
INFINITY BROADCASTING CORPORATION OF :
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF :
WASHINGTON, D.C., :

Counterclaimant and Third-Party Plaintiff, :

-against- :

SAMUEL L. JONES JR., :
Counterclaim Defendant, and :
RADIO ONE, INC., :
Third-Party Defendant. X

Upon the accompanying declarations of Jeremy Feigelson, Marissa M. Grimes, Christopher Paul McMillian, Samuel Rogers and Reggie Rouse together with the exhibits annexed thereto and all pleadings and proceedings had herein,

IT IS HEREBY ORDERED, that Samuel L. Jones Jr. ("Jones") and Radio One, Inc. ("Radio One") show cause before the Hon. Barbara S. Jones, United States District Judge, at Courtroom 18B in the United States Courthouse located at 500 Pearl Street, New York, New York on July 23, 2007 at 3:00 p.m. or as soon thereafter as counsel can be heard, why a PRELIMINARY INJUNCTION should not issue, pursuant to Rule 65 of the Federal Rules of Civil Procedure, pending final disposition of this action, enjoining Jones and Radio One and their officers, directors, agents, representatives, successors or assigns, and all persons acting in concert or in participation with any of them, from using the HUGGY LOWDOWN mark in any way in connection with any radio broadcast or promotion within the Washington, D.C. "Total Survey Area" as defined by Arbitron (http://www.arbitron.com/Radio_Stations/reference.htm) through May 26, 2008.

~~IT IS FURTHER ORDERED, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, that pending the hearing and determination of Defendant's application for a preliminary injunction, Jones and Radio One and all those acting in concert or participation with them BE, AND HEREBY ARE, TEMPORARILY RESTRAINED from using the HUGGY LOWDOWN mark in any way in connection with any radio broadcast or promotion within the Washington, D.C. Total Survey Area.~~

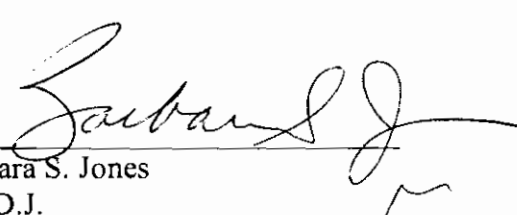
IT IS FURTHER ORDERED that, sufficient cause having been shown, personal service of this Order, together with the papers upon which it was granted, shall be good and sufficient if delivered to the offices of counsel for Jones and Radio One, Stephen Sussman, Lebensfeld Borker Sussman & Sharon LLP, on or before 5:00 o'clock p.m. on July 20, 2007.

IT IS FURTHER ORDERED that any papers in opposition to the application for a preliminary injunction shall be served by hand or ECF on Defendant's counsel and on this Court on or before 5:00 o'clock p.m. on July 20, 2007, and any reply papers shall be served by 1st via telephone hand on Jones and Radio One or their counsel and on this Court on or before 5:00 o'clock p.m. on July 21, 2007.

IT IS FURTHER ORDERED that Defendant shall post security in the amount of \$ _____ prior to July __, 2007 at _____ o'clock _____.m.

Dated: New York, New York
July __, 2007

Issued: _____ o'clock _____.m.


Barbara S. Jones
U.S.D.J.